

Serial No. 10/728,793  
Atty. Dkt. No. 2281-105

### **REMARKS**

In response to the Office Action of March 31, 2005, careful reconsideration in view of the above amendments and the following remarks is most respectfully requested.

#### **Reminder Regarding Election and Restriction**

In the Office Action, claims 13-15 and 19-22 were withdrawn from consideration. It is most respectfully submitted that upon the allowance of a claim from which these withdrawn claims depend, the Patent Office should properly allow these currently withdrawn claims. The Patent Office is requested to maintain these claims upon the allowance of any claims from which these claims depend.

#### **Claim Objections**

In the Office Action, claims 1 and 2 were objected to as to minor cosmetic informalities. These informalities have been amended to suit the Examiner's preferred language choice. These modifications clearly do not affect the broadest reach of the

doctrine of equivalents since they relate merely to cosmetic modifications.

Withdrawal of these objections is most respectfully requested.

**Rejections Under 35 U.S.C. 102**

In paragraphs 3-4 of the Office Action, claims 1-7, 12, 16-18 and 23 were rejected under 35 U.S.C. 102(b) over Gebhardt. These rejections are most respectfully traversed, as follows.

**a) Gebhardt**

**Claim 1**

It is most respectfully submitted that the Gebhardt reference does **not** teach or suggest the combination of features recited in claim 1.

First, it is respectfully noted that claim 1 was previously amended so as to recite, among other things, that there is a **snap-fit** connection between the channel(s) and the tab(s). Among other things, this **snap-fit** connection is very advantageous in the

present environment. In contrast, it is strongly submitted that the Gebhardt reference does **not** teach or suggest such **snap-fit** connections.

In particular, rather than employing a **snap-fit** engagement, Gebhardt employs a **lateral sliding engagement** in which the engagement is effected by lateral sliding movement to engage members. In this regard, Gebhardt expresses that the engagement is: “secured by ... **sliding** the sign flange **78** ... into ... the constricted groove 14.” See column 4, lines 28-33 (Emphasis Added)

Notably, Gebhardt does **not** suggest that the flange is somehow adapted to be forced first through the opening 27 and then into the constricted groove, but merely that it is “slid” directly into the “groove 14.” Accordingly, it is respectfully submitted that the reference does **not** provide the teaching that the Patent Office has improperly asserted. There is no teaching or a suggestion for a **snap-fit** connection. Moreover, as discussed below, it is respectfully submitted that the sign 65 appears to be intended to be made of **metal** (see discussion below under 35 U.S.C. 103 rejections)

Second, the Gebhardt reference does not teach or suggest, among other things, the employment of **both** first and second frame members as recited in claim 1. Moreover, Gebhardt does not teach or suggest “said first frame member is mounted

generally horizontally **over an upper end of the base sheet** and said second frame member is mounted generally horizontally **under a lower end of the base sheet**” as recited in claim 3. Notably, Gebhardt does not teach the incorporation of plural frame members around a base sheet. As explained in Gebhardt,

“A sign 65 may be supported on the support structure by inserting the tabbed edge of the sign 65 ... **either at the top or at the bottom** of the assembled structure shown in FIG. 2.” See col. 4, lines 22+. (Emphasis added)

Accordingly, Gebhardt does not teach or suggest the incorporation of **both top and bottom** frame members.

Third, it is, thus, respectfully submitted that Gebhardt does not teach or suggest, among other things, the following aspects as recited in claim 1.

“[A] **first frame member** having a base-connection channel connectable with said at least one first side projection tab, wherein said first frame base-connection channel or said at least one first side projection tab are resilient and allow the at least one first side projection tab to snap-fit into said first frame base-connection channel during insertion of said at least one first side projection tab in a direction substantially perpendicular to a length of said first frame base-connection channel;

a **second frame member** having a base-connection channel connectable with said at least one second side projection tab, wherein said second frame base-connection channel or said at least one second side projection tab are resilient and allow the at least one second side projection tab to snap-fit into said second frame base-connection channel during insertion of said at least one second side projection tab in a direction substantially perpendicular to a length of said second frame base-connection channel.” Emphasis added for reference.

It is, thus, most respectfully submitted that the reference does not teach or suggest the combinations of features recited in independent claim 1. Early reconsideration and allowance of such independent claims are respectfully requested.

**Claims Depending from Claim 1**

It is also most respectfully noted that the various dependent claims are also not taught or suggested by the references. Early reconsideration and allowance of each and every dependent claim is most respectfully requested. Among other things, it is respectfully noted that the following claims include features that are clearly not taught or suggested by the references.

**Claim 3:** As set forth in the discussion above, it is respectfully submitted that the reference does not teach or suggest that "said first frame member is mounted generally horizontally over an upper end of the base sheet and said second frame member is mounted generally horizontally under a lower end of the base sheet."

**Claim 17:** In contrast to the Patent Office's comments in the Office Action, it is most respectfully submitted that the cited Gebhardt reference does not teach or

suggest the features recited in the method of claim 17, including the step of “modifying the information displayed by replacing the base sheet with a base sheet having a different size or characteristic.” The Gebhardt reference does **not** teach or suggest a display structure in which there are multiple components that are interchangeable so as to easily and efficiently modify a display as per some embodiments of the present invention. Among other things, the **snap-fit arrangement combined with** additional components, such as, e.g., interchangeable parts having **different size or characteristic** can lead to enormous advantages that are not contemplated by the Gebhardt reference. It is respectfully submitted that the Patent Office improperly passed over these features.

**Claim 18:** In contrast to the Patent Office’s comments in the Office Action, it is most respectfully submitted that the cited Gebhardt reference does not teach or suggest the features recited in the method of claim 18, including the step of “modifying the information displayed by replacing at least one of the frame members to support different or additional display elements or information media.” The Gebhardt reference does **not** teach or suggest a display structure in which there are multiple frame member components that are interchangeable so as to easily and efficiently modify a display as per some embodiments of the present invention. Among other things, the **snap-fit arrangement combined with** additional frame member components, such as, e.g.,

interchangeable parts that **support different or additional display elements or information media** can lead to enormous advantages that are not contemplated by the Gebhardt reference. It is respectfully submitted that the Patent Office improperly passed over these features.

**Claim 23**

It is submitted that claim 23 should be allowable for reasons that are generally parallel to that set forth above with reference to claim 1. Among other things, claim 23 recites:

- 1) **a first frame member** mounted generally horizontally over an upper end of the base sheet and having:
  - 2) **mean for connecting with said first side projection tabs**, wherein said means includes that said first frame member or said at least one first side projection tab is **resilient** and allows the at least one first side projection tab to **snap-fit** into said first frame member;
  - 3) **a second frame member** mounted generally along another end of the base sheet and having:
    - 4) **means for connecting with said second side projection tabs**, wherein said means includes that said second frame member or said at least one second side

projection tab is **resilient** and allows the at least one second side projection tab to **snap-fit** into said first frame member.

Accordingly, claim 23 is not taught or suggested by the cited reference for reasons parallel to that set forth above. In addition, claim 23 also recites:

- 5) said first frame member being made from **an integral piece**;
- 6) said second frame member being made from **an integral piece**.

On the other hand, the Gebhardt reference does **not** show any frame members made from an **integral piece**, but rather shows – as pictured in FIG. 2 – a support structure 39 that includes a plurality of pieces, including channel members [10] combined with connecting elements 40 and, sign elements 45, 55, etc. In this context, an integral piece means a unitary structure that is a single integral member, such as, e.g., formed by molding (e.g., extrusion). It is respectfully noted that in this context, an integral piece has some significant advantages because, e.g., it can greatly facilitate making and re-arranging displays, etc. Once again, the structure of the Gebhardt reference involves a complex structure and does not lend itself to achievement of some notable advantages of the preferred embodiments of the present invention.

Withdrawal of these rejections is most respectfully requested.



**Rejections Under 35 U.S.C. 103**

In paragraphs 5-6 of the Office Action, claims 8-11 were rejected under 35 U.S.C. 103 over Gebhardt. These rejections are most respectfully traversed, as follows.

As discussed above, it is submitted that the Gebhardt reference does not teach or suggest the features recited in the claims from which these claims depend. While the Patent Office argues that “plastic” and “paper” would have been obvious materials of choice for the planar sign element 65 of the Gebhardt reference, it is most respectfully submitted that the Patent Office’s position is not correct.

First, the Gebhardt reference merely indicates that the “sign element 65 is preferably formed of **sheet material**.” See, e.g., col. 4, lines 16+. In this regard, it is respectfully submitted that the sheet material contemplated by Gebhardt appears to be a **substantially rigid metal material**. Among other things, this appears to be a substantially rigid metal material because: a) Gebhardt suggests that the sign element can be supported at the top or even “at the bottom” such that the sign element would likely have a substantial rigidity, suggesting a material such as, e.g., metal, b) the support structure 39 of Gebhardt involves a rather substantial, heavy structure

employing **two metal** or the like channel members 10 (see col. 3, lines 45+) that are connected together with a large “relatively rigid material” such as, e.g., **wood**. Accordingly, the heavy support structure suggests that the sign 65 would have substantial weight, and likely metal.

Second, the structure taught by Gebhardt would likely operate most effectively using a metal structure, which would easily laterally slide into the channel as disclosed. There is no teaching or suggestion that the Gebhardt structure could be fabricated from a lighter, typically flimsier, material such as paper or plastic, much less any reason or rationale in the reference to lead one to such other materials.

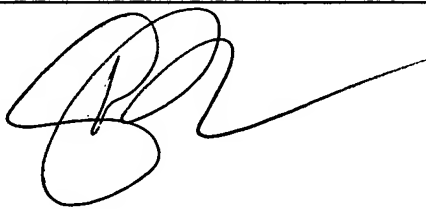
Withdrawal of these rejections is most respectfully requested.

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**Concluding Remarks**

In view of the foregoing amendments and remarks, early reconsideration and allowance are respectfully requested. In the event that any fees are due or payable in connection with this filing, please charge or credit our deposit account number 14-1437.

In the event that the Examiner desires to discuss any aspect of this application, the Examiner is encouraged to contact the undersigned to expedite prosecution of this matter.

<b>RESPECTFULLY SUBMITTED,</b>			
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